WASHINGTON.

"LIBERTY AND UNION, NOW AND POREVER, ONE AND INSEPARABLE."

THURSDAY, MAY 21, 1863.

THE MILITARY CENSORSHIP. In the absence of any authentic or official news from the Army of the Potomac, our contemporaries at the North are very soundly berating the Scoretary of War because of the "military censorship" he established over the transmission of intelligence relating to the advance, progress, and retreat of Gen. Hooker on the occasion of his recent brief campaign. And from the uniformity as well as the number of the complaints uttered on this score we are left to infer that the manner in which the embargo upon despatches as to military affairs was carried out during the late operations has met with very general censure, even from those who are most liberal in their views as to the supervision that may be judiciously exercised by the Govern-

The inutility, or, if not the inutility, the partiality of this restrictive system was strikingly disclosed by the fact that while other journals were not allowed to receive through the telegraphic wires the intelligence possessed by their correspondents in this city respecting the retreat of Gen Hooker on the night of Tuesday, the 5th instant, the New York Tribune succeeded in obtaining information of the retrograde movement by a despatch transmitted "in cipher," which, it seems, eluded the vigilance of the military censor. If there had been any thing harmful in the transmission of such intelligence, the underhand way in which the contraband news was "smuggled through" would have doubtless led to the arrest and punishment of the correspondent, but as no notice, so far as we are aware, has been taken of his stratagem, it only remains to suppose that no offence was committed in the premises. But, then, the question necessarily recurs, why were other correspondents, equally well informed but less ingenious, debarred the privilege of communicating with their journals in plain English? It would seem that a censor set to prevent the transmission of all military news by the telegraph should not have had his suspicions lulled by the sight of a message in cipher.

The Philadelphia Bulletin, in alluding to the fact that the intelligence of Gen. Hooker's retreat the enemy." and of the recrossing of the Rappahannock was published in New York and Washington on Thursday morning, the 7th instant, while it was not generally known in that city, remarks as follows in its number of Thursday evening, of that same date:

"This news was in New York last night, and must have been in Washington in the afternoon. But the telegraphic censorship did not allow it to be communicated to the press. Stock-jobbers had it, and gambled on it. But the relatives and friends of the soldiers fighting in Hooker's srmy were allowed to believe that every thing was going on prosperously. Fuch conduct is either cruelty, madness, or dishenesty. We trust the Government will reform the telegraphic censorship without delay."

But the indignation of our contemporaries seems to have been especially roused by the fabrications. palmed off upon them some days ago in the shape of what seemed well authenticated, as they certainly were circumstantial, representations to the effect was hotly pursuing Gen. Lee. Commenting on these mysterious fabrications, the Springfield (Masthat Gen. Hooker had resumed the offensive and sachusetts) Republican says :

"There is something requiring explanation in the very positive and detailed accounts sent forward from Washington on Sunday as to another advance of Gen. Hooker across the Rappahannock. They seemed incredible at the time, and yet they were got up in such explicit and matter-of-fact style as to deceive the most sagacious sifters of news. Where did they come from? Who was the ingenious originator, and what was his object? We advise Mr. Stautou to art his news censors at work to ferret out these coiners of false information. Of course they will have little difficulty in tracing the despatches to their source, since they were allowed to pass when known to be false on the principle we suppose that false news would false, on the principle, we suppose, that false news would not help the enemy if it should reach them. The new was most full and particular as sent to the Philadelphia Press, Mr. Forney's paper, which often has army news in-dicating close relations with the War Office—a fact that may or may not be relevant in this case. The correspondent undertook to give the news as brought back from Gen. Hooker's army by the President and Gen. Halleck, and to'd as that, after ending over several regiments on Wednesday and Thursday, who found that the enemy had disappeared from the other side, Gen. Hooker put over the first and fifth corps under Sedgwick, and afterwards crossed his whole army, who deployed in different directions in search of the enemy."

To like purport the New York Evening Post remarks as follows :

The Philadelphia editors and correspondents surpass fill others in what has been termed magnificent lying Who but they told us of Keyes's capture of Richmond nock ? Of the former worderful exploit they gave us no details, but of Hooker's they told us every thing; how two columns, under Sedgwick, crossed first without opposition; how Hooker bimself followed with other columns; how they searched the whole country round about for the rebel army and could not find it; and how they were advancing gallantly towards Gordonsville or Richmond, or some other stronghold. Now, were the editors imposed upon, or did they invent all this? They certainly owe the public some explanation of the stories they caused so many to believe.

"At the same time let us hint to the authorities at Wash-

"At the same time let us hint to the authorities at Washington that if they would be somewhat more communicative, if they would regard the people of the United States as a people having a great and I vely interest in the progress of military operations, and if they would satisfy that interest by clear and promptly-made communications to the public, these, however brief, would render systematic lying not impossible, but ineffective. When the telegraph is open to every body, false reports become uscless, because the truth can overtake it at once. But when the telegraph is in Government hands the reguest extends telegraph is in Government hands, the regues get twelve bours or more the start of the coustables."

The New York Independent, which, as an antislavery Administration print, has inherently the right of casting the grossest imputations on the Government for its alleged conduct in this as in all other matters, charges that the telegraph censor at Washington was forbidden to let correspondents send messages contradicting the rumors and reports spread by Philadelphia papers, as if the Secretary of War could have any motive to subserve by perpetuating for a day the mushroom productions of military gossips. But, in view of the defects attaching to the present system, we think it will be generally admitted that some reforms should be instituted by the War Office under this

CLAIMS ON PERU.

We are happy to announce that the tedious and protracted negotiations for an adjustment of claims of citizens of the United States on the Peruvian Government have been brought to an auspicious conclusion. The convention on that subject, including the amendments proposed by our Senate and accepted by Peru, will shortly be published, and the Commission provided by the act of the last ses-no person shall be discharged by virtue of the provisions of this act until after he or she shall have taken an oath of allegiance to the Government of the United States, and will be organized without unnecessary delay.

THE LAW OF THE CASE.

As much confusion secons to prevail with regard to the legal aspects of the arrest, trial, and conviction of Mr. Vallandigham, on the charge of giv ing aid and comfort to the enemy, we think it proper, in view of the interest attaching to this question, onsidered as one of law rather than of military caprice, to place distinctly before our readers the points on which it turns.

The charge brought against Mr. Vallandigham was as follows:

"Publicly expressing, in violation of General Order No 38, from Headquarters Department of the Obio, his sym-pathy for those in arms against the Government of the United States, declaring disloyal sentiments and opinions. with the object and purpose of weakening the power of the Government in its efforts to suppress an unlawful re-

The specification adduced by the Judge Advo cate in support of this charge is in the following

"In this, that the said Clement L. Vallandigham, "In this, that the said Clement L. Vallandigham, a citizen of the State of Ohio, on or about the first day of May, 1863, at Mount Vernon, Knox county, Ohio, did publicly address a large meeting of citizens, and did utter sentiments, in words or in effect as follows: "Declaring sentiments, in words or in effect as follows: "Declaring the present war "a wicked, cruel, and unnecessary war:" a war not being waged for the preservation of the Union: "a war for the purpose of crushing out liberty and erecting a despot sm;" "a war for the freedom of the blacks and the enslavement of the whites;" stating "that if the Administration had so wished the war could have been honorably terminated months ago;" that "peace might have been honorably obtained by listening to the proposed intermediation of France;" that "propositions by which the Southern States could be won back and the South be guaranted their rights under the Constitution had been rejected the day before the late battle at Fredericksburg by Lincoln and his minions," meaning thereby the Presiguarantied their rights under the Constitution had been rejected the day before the late battle at Fredericksburg by Lincoln and his minions," meaning thereby the President of the United States and those under him in authority. Charging "that the Government of the United States were about to appoint military marshals in every district to restrain the people of their liberties, to deprive them of their rights and privileges." Characterizing General Order No. 38, Headquarters Department of the Ohio, as "a base usurpation of arbitrary authority;" inviting his hearers to resist the same by saving "the aponer the people. hearers to resist the same by saying "the sooner the people inform the minions of usurped power that they will not submit to such restrictions upon their liberties the better." Declaring "that he was at all times, and upon all occasiofis, resolved to do what he could to defeat the attempts now being made to build up a monarchy upon the ruins of our free Government;" asserting "that he firmly believed, as he said six months ago, that the men in power are attempt-ing to establish a despotism in this country more cruel and more oppressive than ever existed before" All of which opinions and sentiments he well hnew did aid, comfort, and ncourage those in arms against the Government, and could ut induce in his hearers a distrust of their own Government and sympathy for those in arms against it, and a dis position to resist the laws of the land. "J. M. Currs, Captain 11th Infantry, "Judge Advocate Department of the Ohio."

It will thus be seen that the charge and the specification, even if entirely sustained by the evidence, (as to which in this inquiry we raise no question,) seek to convict Mr. Vallandigham, a citizen of Ohio, of "giving aid and comfort to

Now, this offence has, by the recent legislation of Congress, been made expressly cognizable by the Courts of the United States. This will appear from the following statute, being "an act to suppress insurrection, to punish treason and rebellion, and confiscate the property of rebels, and for other purposes," approved July 17, 1862, and found in vol 12th, chapter 195, page 589, of the Statutes at Large, as printed by order of Congress. We cite the sections relative to this topic, as follows:

" Sec. 2. And be it further enacted, That if any person shall hereafter incite, set on foot, assist, or engage in any rebellion or insurrection against the authority of the United States, or the laws thereof, or shall give aid or comfort thereto, or shall engage in or give aid and comfort to any such existing rebellion or insurrection, and be convicted thereof, such person shall be punished by imprisonment for a period not exceeding ten years, or by a fine not exceeding ten thousand dollars, and by the liberation of all his slaves, if any he have; or by both of said punishments, at

The tribunal to take cognizance of such cases and questions distinctly appears from the conclud- liberty, must be regarded in law as one "iming section of this statute, as follows:

"Sec. 14. And be it further enacted. That the courts of the United States shall have full power to institute proceedings, make orders and decrees, issue process, and all other things necessary to carry this act into effect."

This is conclusive as to the jurisdiction of the courts of the United States, and of them alone, over the offence alleged to have been committed by Mr. Vallandigham.

But the last Congress did not stop here. As if to shut the door against any such proceedings as those instituted by Gen. Burnside, it passed an act, approved March 3d, 1863, expressly "relating to habeas corpus and regulating judicial proceedings in certain cases" The sections of this act relevant to the case of Mr. Vallandigham may be found on page 755 of the volume of the Statutes at Large as just printed by order of Congress, and are as follows :

" Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled. That, during the present rebellion, the President of the That, during the present rebellion, the President of the United States, whenever, in his judgment, the public safety may require it, is authorized to suspend the privilege of the writ of habeas corpus in any case throughout the United States, or any part thereof. [The privilege has not been so suspended in Ohio.] And whenever and wherever the said privilege shall be suspended, as aforesaid, no military or other officer shall be compelled, in answer to any writ of habeas corpus, to return the body of any person or persons detained by him by authority of the President; but upon the certificate, under oath, of the officer having charge of any one so detained that such person is aving charge of any one so detained that such person is naving charge of any one so detained that such person is detained by him as a prisoner under authority of the President, further proceedings under the writ of habeas corpus shall be suspended by the judge or court having issued the said writ so long as said suspension by the President shall remain in force and said rebellion continue. [The privilege of the writer of the said was a first such as a supersident continue. privilege of the writ of babeas corpus not having been sus-pended in Ohio, it follows that no Judge in that State is uthorized to suspend proceedings instituted under this

Sec. 2. And be it further enacted, That the Secretary of State and the Secretary of War be and they are hereby directed, as soon as may be practicable, to furnish to the judges of the circuit and district courts of the United States and of the District of Columbia a list of the names of all persons, citizens of States in which the administra-tion of the laws has continued unimpaired in the said Fede-ral courts, who are new, or may hereafter be, held as pri-soners of the United States, by order or authority of the Pre-sident of the United States or either of said Secretaries, in any fort, arsenal, or other place, as State or political pri soners, or otherwise than as prisoners of war; the said list to contain the names of all those who reside in the re-spective jurisdictions of sair judges, or who may be deem-ed by the said Secretaries, or either of them, to have vio-lated any law of the United States in any of said juri-dic tions, and also the date of each arrest; the Secretary of State to furnish a list of such persons as are imprisoned by the order or authority of the President, acting through ne State Department, and the Secretary of War a list of such as are imprisoned by the order or authority of the President, acting through the Department of War. And in all cases where a grand jury, having attended any of said courts baving jurisdiction in the premises, after the passage of this act, and after the furnishing of said list as aforesaid, has terminated its session without finding an in-dictment, or presentment, or other proceeding against any such person, it shall be the duty of the judge of said court forthwith to make an order that any such prisoner desiring Joithwith to make an order that any such prisoner desiring a discharge from said imprisonment be brought before him to be discharged; and every officer of the United States having custody of such prisoner is hereby directed immediately to obey and execute said judge's order; and in case he shall delay or refuse so to do, he shall be subject to indictment for a made meanor, and be punished by a fine of not less than five hundred dellars and imprisonment in the common jail for a period not less than six menths, in the discretion of the court: Provided, honever, That no person shall be discharged by virtue of the provisions

will not hereafter in any way encourage or give aid and comfort to the present rebellion, or the supporters thereof:

And provided, also, That the judge or court before whom time to time under circumstances or upon conditions comsuch person may be brought, before discharging him or paible, as was thought, with the public safety. such person may be brought, before d scharging him or her from impriso ment, shall have power, on examination of the case, and, if the public safety shall require it, shall be required to cruse him or her to enter into recognizance, with or without surety, in a sum to be fixed by said judge and subte; apprehension of public danger and facilities for or court, to keep the peace and be of good behavior to wards the United States and its citizens, and from time to time, and at such times as such judge or court may arrection is believed to have culminated and to be desired. to time, and at such times as such judge or court may direct, appear before said judge or court to be further dealt with according to law, as the circumstances may require. And it shall be the duty of the district attorney of the United States to attend such exemination before

of the United States to attend such examination before the judge.

"Sec. 3. And be it further enacted. That in case any of such prisoners shall be under indictment or presentment for any offence against the laws of the United States, and by existing laws bail or a recognizance may be taken for the appearance for trial of such person, it shall be the duty of said judge at once to discharge such person upon bail or recognizance for trial as aforesaid. And in case the said Secretaries of State and War shall for any reason refuse or omit to furnish the said list of persons held as prisoners as aforesaid at the time of the passage of this act within or omit to furnish the said list of persons held as prisoners as aforesaid at the time of the passage of this act within twenty days thereofter, and of such persons as hereafter may be arrested within twenty days from the time of the arrest, any citizen may, after a grand jury shall have terminated its session without finding an indictment or presentment, as provided in the second section of this act, by a petition alleging the facts aforesaid touching any of the persons so as aforesaid imprisoned, supported by the oath of such petitioner or any other cred.ble person, obtain and be entitled to have the said judge's order to discharge such prisoner on the same terms and conditions prescribed in the second section of this act: Provided, however, That the said judge shall be satisfied such allegations are true."

The reader can easily educe from these provisions the law of the question raised by the arrest of Gen. Burnside. They will perceive that proceedings under the writ of habeas corpus are to be suspended by the courts whenever and wherever the privilege of this writ has been suspended by the President, which is not the case in the State of Ohio. Judge Leavitt, in refusing to grant the writ sued out in behalf of Mr. Vallandigham, stated that he possessing the confidence of the community, and had not seen this law, which was cited in court by able to wield its entire strength in such a manner Mr. Pugh, the attorney of Mr. Vallandigham. We as to keep it in unison and deal the heaviest blows infer from this fact that Judge Leavits does not upon the common enemy." deem it necessary to have a knowledge of the laws der them.

courts of the offence he alleges against Mr. Val- this text, the Advertiser proceeds as follows: landigham. Nor is it any answer to say, as Gen. B. urges in his statement made to the Judge, that "we are in a state of civil war, and an emergency is upon us which requires the operations of some power that moves more quickly than the held "as prisoners of the United States by order or authority of the President of the United States, as State or political prisoners, or otherwise than as prisoners of war," that Congress passed the act slave holders are trained to rule. One element of the approved on the 3d of March last, and the sections of which, so far as they relate to this case, we

that Mr. Vallandigham is now held as a " State of March 3d, 1863, and it will therefore be the duty, as we doubt not it will be the pleasure, of Mr. Secretary Stanton to report the name of Mr. Vallandigham to the Judge of the United States Circuit or District Court which has local and legal urisdiction of the offence for which Mr. Vallandigham is now irregularly detained, that he may be put on trial according to the statutes made and provided for precisely such offences as he is alleged to have committed. His conviction, under such circumstances, would carry with it the sanction of law, and as such would receive the assent of law-

abiding citizens, and be a terror to evil-doers. We have said that we believe it will give Mr. Stanton pleasure to pursue a legal course in procuring a regular trial for Mr. Vallandigham under the Constitution and laws of the land, that he may receive justice or suffer punishment according to his deserts; for Mr. Stanton signalized his accession to office by an "order" in which he designated the circumstances that seemed to justify, only for a time, a departure from "the normal course administration," at the outbreak of the rebellion, when the Government was called suddenly to meet an "emergency which Congress had not anticipated and for which it had not provided." To this effect he declared as follows under his order petent to direct them."

of February 14, 1862 : "The breaking out of a formidable insurrection, based on conflict of political ideas, being an event without precedent in the United States, was necessarily attended by great confusion and perplexity of the public mind. Disc yalty, before unsuspected, suddenly became bold, and treason before unsuspected, suddenly became bold, and treason astonished the world by bringing at once into the field military forces superior in numbers to the standing army of the United States.

"Even in the portions of the country which were most loyal political combinations and secret societies were formed furthering the work of disunion, while, from motives of disloyalty or cupidity, or from excited passions or pervertmoney, and materials of war and supplies to the insured sympathies, individuals were found furnishing mengents' military and naval forces. Armies, sh ps. formica-tions, navy yards, arsenals, military posts and garrisons, one after another, were betrayed or abandoned to the in-

Congress had not anticipated and so had not provided had been designed not to sustain the Government, but to embarrass and betray it.

"In this emergency the President felt it his duty to employ with energy the extraordinary powers which the Constitu-tion confides to him in cases of insurrection. He called having custody of such prisoner is hereby directed immediately to obey and execute said judge's order; and in case he shall be subject to indictment for a mindemeanor, and be punished by a fine of not less than five hundred dellars and imprisonment in the common Juli for a period not less than six menths, in the discretion of the court: Provided, however, That no person shall be discharged by virtue of the provisions of this act until after he or she shall have taken an oath of all giance to the Government of the United States, and to support the Constitution thereof; and that he or she and that he or she to support the Constitution thereof; and that he or she into the field such military and naval forces, unauthorized by the directed by the directed by the existing laws, as seemed necessary. He directed to easie of the post office for treasonation to add from foreign countries to new passport regulations, and be important to a support to a directed on the court of the post office for treasonation of the court: Provided have two necessary to new passport regulations, and be important to have a blockade, suspended the writ of habeas corpus in various places, and caused persons who were represented to him as being or about to engage in disloyal and treasonable provided at the Union League Convention to-day. It was a directed by the Hon. Montgomery Blair, David Paul in various places, and caused persons who were represented to him as being or about to engage in disloyal and treasonable practices to be arrested by special civil as well as apport the Administration, &c were unanimously adopted. into the field such military and naval forces, unsuthorized

"The President, in view of these facts, and anxious to fa vor a return to the normal course of the Adm nistration, as iar as regard for the public welfare will allow, directs that all political prisoners or State prisoners now held in mili-tary custody be released on their subscribing to a parole engaging them to render no aid or comfort to the enemies in hostility to the United States.

"Extraordinary arrests will hereafter be made under the direction of the military authorities alone."

Congress has by its recent legislation "anticipated" precisely such a case as that raised by the alleged conduct and language of Mr. Vallandigham, and has thus made provision for the "emergency." The only justification heretofore assigned for such extraordinary arrests in the heart of a loyal population no longer exists, for the "normal course" of proceeding is now plainly marked out by the law made and provided for the trial and punishment of all who give "aid and comfort to the enemy," and who are "citizens of States in which the adin the Federal courts."

NATURAL LEADERSHIP.

Under this head the New York Commercial Advertiser expresses the opinion that in conducting the present war there has been one lack which is generally recognised-" that of competent leaders,

In so speaking our contemporary does not have which it is his sworn duty to administer, or that exclusive reference to a want of Generals possesshis means of procuring information under this head ing commanding and universally conceded talents. are more limited than those possessed by laymen who The trouble which it signalizes goes back of shoulread the journals which are authorized to publish derstraps and trappings. It is found to prevail the laws of the United States officially, or who pos- even more in civil than in military affairs, for if sess a sufficient interest in such matters to purchase our armics have not always been conducted with the volume printed by the eminent publishers, skill, it is equally true, in the opinion of our con-Messrs. Little & Brown, of Boston, under the au- ten porary, that as a rule the men whose minds are thority of Congress. His ignorance of the laws the strongest, whose culture is the most thorough. may be his best excuse for not doing his duty un- whose material interests in the common weal are the greatest, seldom form the largest part of our And when a judge of the United States is found Legislatures, either State or National. In a word, ignorant of the legislation of Congress on this head, civilians to whom leadership is entrusted by the surely Gen. Burnside may be excused for not multitude are not natural leaders, who vindicate 1862, had expressly provided for the trial by the obtained under universal suffrage. Reasoning on

"The evil is not of yesterday; it has existed and has been growing ever since the establishment of our Govern-ment. At that time a great emergency called out the class of men to whom leadership by true divine right belongedthe men of genius, of culture, of high-toned principle, of property. Perhaps it has been that in the lack of some great emergency, such as then existed, the citizens were civil," for it was precisely in view of such an "emergency," that Congress passed the act of last July 17th already cited, and it was to exclude the possibility of the arbitrary detention of persons to exist. A crisis of transcendent magnitude is upon us, and if ever there was a time when every good cit zen should cast his eyes in every direction to 'ge the best' public servants, that time is to-day.

pulation has been kept in the most complete subjection force—made the hewers of wood and drawers of water o a superior race, who held the reins of Government have recited above. The intervention of a court- firmly as much from a love of ruling as the exemption from drudgery which the system afforded. This was not martial, illegally charged with the trial of a citi- all. Above that class of helots existed a second, of unmartial, illegally charged with the trial of a citizen, does not alter the nature of the imprisonment
of Mr. Vallandigham, who, while deprived of his
liberty, must be regarded in law as one "imprisoned by the order or authority of the President, acting through the Department of War."

all. Above that class of helots existed a second, of uncultured whites, possessed of little property, of roving
hebits, but devoutly following the leadership of their
richer and more intelligent neighbors. Individually the
versat ciphers, they yet became formidable when placed
behind the planters, who constituted the nine digits of
Southern society. At the North, where every adult reads
and profes es to think for himself, it is almost impossible If it be true, as is said, that Mr. Vallandigham whites of the worn out plantations.

has been imprisoned in Fort Warren by order of Gen.

Burnside, confirming the sentence of the court-marsituation. The moment it moved all others had to move also. They were at the most primary or secondary plants. offence made cognizable by the courts, it fellows And a painful experience has shown that all expectations to the centrary have been do med to disappointment
"At the North we had nothing of this. There is not a or political prisoner," within the terms of the act single interest here but is entirely subordinated to all the

others. One may gain an undue advantage this year, but it has a it the next. It is very true—and in this sign we shall finally prevail—that the masses of Northern citizens are much more intelligent, laborious, patent, and perse-vering than those of the Rebel States. But these very qualities render them for a time impatient of control, un fling to b come the mere parts of a machine whose move ments they do not clearly comprehend. We submit cheerfully to President, Governors, and other officials to the exent required in ordinary times; but the instant it becomes necessary to tighten the meshes so as to fit them for a spe-cial emergency haif the journals and orators in this coun-try boil over with indignation. At the South papers con-ducting an opposition with one-quarter the accribity of cer-tain journals here would have been souffed out at the beinning of the war with very little ceremony. ederates not on'y submit to such a dictatorship, but delight in seeing it exercised.

What we need is a leadership that shall possess eminent shifty and worth, without depressing whole classes of the population. We require a body of men in civil as military affairs who have the skill, the daring, the genecapacity shown by Southern leaders, without a system of slavery and a reign of ignorance and terror in which to develop them. Strength that can be readily wielded for the upholding of our nationality must be combined with the greatest individual freedom that is consistent with preparations against an enemy, whether internal or external still apparent that Vallaneigham is one of the men whose the greatest individual freedom that is consistent with preparations against an enemy, whether internal or external.

This happy unison is largely wanting. We have a body of
citizens such as has never had its parallel; but those who
citizens such as has never had its parallel; but those who
be better to endure the amoyance if greater mischief is are found at the deck, in the activities of menufactures; in libraries, exploring the treasure of scionce or the events of the past; conducting agricultural experiments, inventing machines, superintending public works. Taken, intelligence, and wealth are not at their proper posts of duty. They toil and spin and complain, but leave the management of public affairs to men incom-

BORDER-STATE LOYALTY.

The difference in the sentiment of loyalty, as n those which are non-slaveholding, was forcibly presented to the consideration of his hearers by the Rev. Dr. BELLOWS, on the occasion of a recent address, when, called to follow Mr. Bancroft at the opening of a Loyal League in New York gity, he held the following language :

I could not help thinking, as Mr. Bancroft was speaking of the conflicts and sufferings of the Border States at this very hour, how little can those who have not netually witnessed them realize their intensity! It is incredible to ns to-right, standing in this scene of festive elegance and social entertainment, exhibarated with music and flowers. for the emergency. The municipal authorities were power, and still more by the company of our wives and daughnear to us as Western Virginia, Southern Mary and, Ken tucky, and Missouri, this war, a matter of mild and reasonable interest for us, is for a million of our countrymen there a question of intensest personal hatreds and the most vindictive passions."

A MILITARY RESTRICTION.

A few weeks ago a call was circulated in the city of St. Louis for a public meeting, to be held on Sunday, the 10th of May, "at Lindeli's Grove, to take into consideration the propriety of recommending to the President the removal of Major General H. W. Halleck from the command in chief of the army, a reconstruction of the Cabinet, and the appointment to active duty in the field of those Generals who are qualified for command, who are identified with freedom, and who enjoy the confidence of the loyal people of the United States."

On the day preceding that appointed for the assembling of this mosting, Brig. Gen. J. W. DAVIDson, commanding in the St. Louis military district. issued an order to the committee charged with making the preliminary arrangements, enjoining that the meeting should not discuss the merits of Major Geo. Halleck. He said :

"I have to say that so much of the object of your meeting as refers to recommending to the President the dis-missal of Major Gen. Halleck from the chief command of the army, is disapproved by in , as a littery commander of this c ty and district, and must be discarded from your

scussions on that day. and whose are "citizens of States in which the administration of the laws has continued unimpaired of a partisan character will not be permitted. "You must reflect, gentlemen, that it is in these times the duty of these who wear plain chathes as well as those who wear uni orms, to support the President and his ap-

> Notwithstanding this military probibition the meeting was held, and the following resolutions, as appears from the official account of the proceedings, were adopted, having been greeted on their reading with "vehement applause and cheers" from the multitude present, "variously estimated at from ten to twelve thousand persons :"

> "Resolved. That we regard it as one of the inal enable rights of freemen to peacesb's assemble and petition the Chief Executive for a r dress of gilevances, believing this to be the only proper manner it which the wishes of that portion of the pe ple which supports the policy of the Government with its blood and tressure are to find expres-

Resolved, That, starting from these premises, we deem it proper to say that we believe that Gen H. W Halleck now chief in command of the armies of the United States, does not enjoy the corfi cace of the people thereof; that we believe him to be devoid of the military talent attributed to him by some, incompetent for the past he now fills, and a lukewarm supp rar of that radical policy of the President in which alone we can see success for the cause

Now, who supposes that Gen. Davidson acted discreetly in forbidding these "radical" Republicans to meet for the purpose of petitioning the President to remove Major Gen. Halleck from the nost he now holds? The folly of the interdict was sufficiently demonstrated by its inefficacy, and by knowing that Congress, by the act of July 17th, sheir claim by other titles than that of a majority the subsequent omission of the General to punish the parties who ostentatiously disregarded his mandate. And who supposes that either the President or Gen. Helleck cherishes any feelings of gratitude to the military commandant of the St. Louis district for his unwise and superserviceable zeal in this matter? Or who, in reviewing the proceedings of the meeting, is likely to find his confidence in Gen. Halleck greatly shaken by this

The moral to be educed from such examples in easy, and it is this: that the Government may more safely tolerate the utterance of complaints or criticisms on the part of either radical Republicans or radical Democrats than seek to repre s the one or the other. Those who fall upon this rock of offence may be only broken by it, but those upon whom it shall fall are in danger of being ground to

But, while the right of free discussion may be properly asserted in the face equally of military assumption on the one hand or of unquestioning servility on the other, it is not necessary to give to the exercise of this undoubted right the exaggeration of factious bravado or of partisan violence. It completing the fortifications there. was to be expected doubtless that the recent unfortunate arrest of Mr. Vallandigham would be discussed by many self-appointed champions of "free speech" in a temp r partaking rather of political rancor against the Administration than of simple but resolute respect for law and right. And in this fact we may find the practical reason why every true friend of the Government must deplore the hasty and illegal proceedings of Gen. Burnside. To this effect that judicious Republican journal, the Boston Daily Advertiser, remarks as

"Gen. Burnside in this matter undoubtedly committed the error of ometting to consider that there are some evils for which there is no cure. The evils of such discourse as he complans of are undoubted. The spirit by which it is inspired is malicious, its tendency is bad, and as for the man who indelges mit, f men could always receive their etrict deserts in this stage of existence, a term at the Dry Turiugas might indeed be his fit recompense. But Gen Bur side had to consider, not only the existence of the evil and his own patriotic desire to repress it, but also whether the process at his command would repre-it without opening the way to other evils quite as serious This the General does not seem to have done; but of his omission in this respect the general course of remark for some days past must have reminded him very forcibly, if

not disagreeably. "We do not now refer to the legal question as to the to be done by a partian use or his case when the att mpt is made to silence him. And that greater mischef would thus be done seems to us certain. We dubt if Valandigham, with all bls skill in vihification, could make an at tack upon the Government so eff-cuive by helf as those for which his arrest and trial by court martial in the State of Ohio have given occasion. Indeed G. n. Burnside himself seems to heve had a presentiment that here was a dencer against which he was not well guarded; frin his state ment he anticipates this difficulty by the remark that there is no fear of the people losing their liberties; we a know that to be the cry of demagogues, and note but the ignorant will listen to it.' The position is entirely correct; developed in the Border Slaveholding States and the demandage with a c y by which to mis end the ignorant is much greater than Gen. Burnelde oppears to have

We have in these remarks treated the dici-lon to proceed against Mr. Vallendigham as G. n. Burns de's own act There is reason to believe that in a was the case, and tha the General acted without the knowledge or ascertained approval of the authorities at Washington It is unfortunate, in our judgment, that he should have felt himself call ed upon to take a step of such consequence so unadvised ly; but bis reputation f r that honest seal which the country is fond of seeing in the soldier will not suffer we may add, the error int, which this real bas led him at fords one more illustration of the difficulty under which military men labor in dealing with such matters, and of the impolicy, to say no more, of taking these cases out of the civil Ju isdiction to which they belong, unless under the pressure of some visible and overwhelming public neces-

THE ALLEGED FOREIGN LOAN.

A Washington despatch to the New York Evening Post

" Notwithstanding the fact that a gentleman connected with the Treasury Department sailed for Europe in the CLEVELAND, (O.) May 20 .- Hon, R. P. Spaulding steamer of Saturday last, and that it has been accepted as presided at the Union Langue Convention to-day. It was evidence of the truth of a st tement that he was to go out as an agent of the Government to perfect negotiations for the taking of a large European loan, he proposals for which were said to have been sent to hir. Chase by Mr. Aspin wait, I am enabled to contradict the report. No such loan is contemplated. The gendeman who letten Saturday ent out on business of a totally different character."

VICTORIES IN MISSISSIPPL

BURNING OF THE STATE CAPITOL-REPORT-ED EVACUATION OF VICE BURG.

The following are the latest official despatches received at the War Department from Gen Grant. Besides confirming the news we published yesterday of the capture o Raymond, Mississippi, they state our losses in the engagement at that place, and also that it was the purpose of Gen. Grant to attack the city of Jackson, the cap tai of the State, on the 14th instant. We were informed of the succeas of his attack by a rebel despatch from Mobile which was publi had yesterday. We have no particulars except that the fight lasted all day and that the addice known as the State Capitol was burnt. These successes of General Grant would seem to ensure the speedy reduction of Vicke-

From Cayuga, (Mirs) May 11, 1863,

Mejor Gen. H. W. HALLECK. Genera in-the fr My force will be this evening as far a vance! along Fourteen mile creek—the last near Block river, and extending in a line nearly east a dwest—as they can get wi hout bringing on a general energement. I shill communicate with Grand Gulf no more unless it becomes not cessary to said a train with a heavy except. You may not hear from me again for several case.

U. S. Grant, M j r Gen.

Roymond, (Miss) 121 P. M., May 14, Mejor Gen. H. W. Halleck, General in-Chi i:

McPherson took this place on the 12 h instant after a brisk fight of more than two hours. Our less fifty-one killed and one hundred and eighty wounled. Enemy's loss severy-five killed, buried by u, and one hundred and eighty-six prisoners exptured, besid a the wound d.

McPherson is now at Clinton; Gen. Sherionn is on the direct Jackson road, and Gon McCl-roam is biliging up the rear.

. I will attack the State capital to-day. U. S. GRANT, M Isr Gen.

A despatch dated yesterday at Cincinnati says: "The defeat of the r. bels at Raymond is said to have been very disastrous to them. - We are yet without part culars Gen. Grant took Jackson on the 14th matant and burned the State capital. Heavy reinforcements were Lurrying forward to the r. bels and stopping twelve miles east of Jackson. A great battle is immigent."

The Republican states that the President received a despatch y sterday aftertoon from Gen. Huribut, who elegraphs from Memphis that information has been received there from a citis n of Jackson that the enemy vacuated Vicksburg on Saturday last, and was endeavor ng to escape Grant by moving up in a north asterly direction, between the Big Black and Y zoo rivers towards Lexington, M a lasiopi.

A DESPATCH FROM ADMIRAL PORTER

The Navy Department received the following despatch yesterday morning:
FLAG-SHIP GENERAL PRICE.

Hog. Gideon Welles, Secrets y of the Navy:

I have the honor to inform you that I arrive | off the mouth of the Red river on the morning of the 4:h, and on the 5th took possession of Fort De Russey, about eight miles from the mouth. On the evening of the 6th I took possession of the city of Alexandria without resistance. Gen. Banks arrived in Alexandric on the evening of the 7th, and I turned the city over to him.

DAVID D. PORTER, Acting Rear Admiral, C. m'g Miss Squadron

A SKIRMISH NEAR WINCHESTER.

WINCHESTER, MAY 19 -To M. jor Gen. Schenck: My avalry had a skirmish with the rebel cavalry to-day, etx miles from here, in which they killed six and capture! seven, including a captain and a leutenant. I hear of no casualties on our side. My cavalry are still in pursuit. R. H. MILROY, Major General.

FROM KENTUCKY.

LOUISVILLE, MAY 19 .- With the exception of a force presisting of eleven small regiments under the robel Morgan, on the south side of the Cumb rland, all the reports of the rebels attempting the invasion of K ntucky are decredied at headquarters. It is thought that the despatches from Mount Vernon, Somerset, and elsewhere, some from rebel sources, and are designed to prevent the Federal troops from reinforcing Gon. Rosecrans or invad-

FROM NORTH CAROLINA.

NEW YORK, MAY 20 .- The ste mer La cer, from Newbern on the 17th, has arrived. All was quiet at Newbern, and our troops were in excellent health. Gen. Foster is

THE SENTENCE OF MR. VALLANDIGHAM.

The Cincinnati papers received last night bring us the finding and sentence of the Military Commission in the case of Mr. Val'andigham, and also Gen. Burcaide's ap. proval of the same, as promutgated in general orders from his headquarters. The sentence was correctly announced in the Intelligencer of yesterday, but we report the intermation to-day in due official form, emitting only the charge and specification, which were published in our paper of the 13th instant.

GENERAL ORDERS No. 68. Headqueters Department of the Ohio. Cinci nati; Uh a, May 16, 1863.

I. At a Military Commission which convened a: Cincinnati, Onio, on the 6 h day of May, 1863, pu au nt to Special Orders No 135, of April 21, 1863, current series from these headquarters, and of which Brig Gen Rob rt B. Potter, United States Volumeers, is President, was arraigned and tried Clement L. Valla dighum, a cirizen of the State of Ohio, on the following charge and spec fination charge, to witt

[The charge and specification were inseriol in the Intel igencer of the 13 h May.]
To which charge and specification the prisoner refusing to pl-ad ei her "kuil y" or "not guity," the Commesical directed the Judge Advecate to enter on the regula the

plea of "not guiny " FINDING AND BENTENCE.

The Commission, after mature deliberation on the evidence adduced and the statement of the accused, find the coused. Clement L. Vallandigbam, a citizen of the 8 ate of Ohio, as follows: Of the specification, (except the words, "that proposi-

tions by which the Northern States could be won buck and tre Sou h guaranties their rights and rathe Constitution had been r jeeted the day before the I st but le of Freie the President of the United States and those under him to au hority; and the wirds, "asserting tast he firmly beev d, a he assorted s x mouths ago, that the men in power are attemp ing to establish a despotism in this country more ruel and more oppressive than ever existed before,")

And as to these words, "Not Gullty."

And as to these words,

Of the charge, "Guity."

And the Commission do there ore restence him, the raid

Clement L. Vallandigham, a cit zero of the State of Ohio, to be placed in close conficement in some artres of be United States, to be designated by the commanding officer of this department, there to be kept during the cintingance of the war.

II. The proceedings, finding, and ren'ence in the foregoing case are approved and confirmed, and it is direct d that the place of confirement of the prisoner, Clement L. Valland gham, in secondance with the said sentence, be Fort

By command of Major General Bunnsing LEWIS RICHMOND,

FROM SUFFOLK, (VA.)

By the arrival of an officer of Gen. Getty's staff, in this sity yesterday we learn that military affairs is and around Suff. lk (Msj. Gen. Peck's command) are comparatively quiet. Gen. Peck is hard at work with the pick and shovel, rendering his position still more formidable against an assault, in the event of Gen. Longstreet returning to a renewal of the siege. The works which the Conf derates erected and abandoned, around Suff dk, are very ex ensire. They even went so far so to put up telegraph wires to enable them read ly and constantly to communicate with diff rent parts of their line-this exten ling over a distance of several miles. They lef: behind many a mount of sand as monuments of their activity and intention to effect a regular system of siege. No doubt the airange of Gen. Hooker caused Gen. Longstreet to precipitately abandon his schemes for the taking of Suffik. It is end that the rebels expected the Federal friess, on the approach of the Confederates, to evacuate Suffolk to protect Portsmouth and Norfolk.